

UNITED STATES DISTRICT COURT
for the
District of Nebraska

United States of America

V.

Calvin Hatten

)

Case No: 8:10CR271

USM No: 23601-047

David R. Stickman

Defendant's Attorney

Date of Original Judgment: 03/15/2011

Date of Previous Amended Judgment: _____
(U.S. Date of Judgment and Month, Year)

(Use Date of Last Amended Judgment if Any)

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (*as reflected in the last judgment issued*) of **months is reduced to** .

(Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment dated 03/15/2011 shall remain in effect.

IT IS SO ORDERED.

Order Date: 01/13/2015

Effective Date: _____
(if different from order date)

Doris Sitt Case

Judge's signature

Laurie Smith Camp, Chief U.S. District Judge

Printed name and title

**This page contains information that should not be filed in court unless under seal.
(Not for Public Disclosure)**

Calvin Hatten

DEFENDANT: _____

CASE NUMBER: 8:10CR271

DISTRICT: District of Nebraska

I. COURT DETERMINATION OF GUIDELINE RANGE (*Prior to Any Departures*)

Previous Total Offense Level: _____ Amended Total Offense Level: _____

Criminal History Category: _____ Criminal History Category: _____

Previous Guideline Range: _____ to _____ months Amended Guideline Range: _____ to _____ months

II. SENTENCE RELATIVE TO THE AMENDED GUIDELINE RANGE

- The reduced sentence is within the amended guideline range.
- The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a substantial assistance departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- The reduced sentence is above the amended guideline range.

III. ADDITIONAL COMMENTS

Because the Defendant was sentenced to a specific sentence pursuant to a binding Rule 11(c)(1)(C) plea agreement, he is not eligible for a sentence reduction pursuant to Amendment 782. Therefore, the Defendant's pro se Motion to Reduce Sentence - USSC Amendment (Filing No. 71) is denied and defense counsel's Motion to Withdraw (Filing No. 75) is granted.